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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/900,334	07/06/2001		Peter K. Malkin	YOR9-2001-0313US1 6308 (8728-5	
22150	7590	01/25/2005		EXAMINER	
F. CHAU & ASSOCIATES, LLC 130 WOODBURY ROAD				LANEAU, RONALD	
WOODBURY, NY 11797				ART UNIT	PAPER NUMBER
	-,			3627	. ==

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	
Advisory Action	09/900,334	MALKIN ET AL.	
·	Examiner	Art Unit	
	Ronald Laneau	3627	
The MAILING DATE of this communication appe	ars on the cover sheet with the c	orrespondence address	
THE REPLY FILED 03 January 2005 FAILS TO PLACE. Therefore, further action by the applicant is required to average final rejection under 37 CFR 1.113 may only be either: (1) condition for allowance; (2) a timely filed Notice of Appeal Examination (RCE) in compliance with 37 CFR 1.114.	oid abandonment of this application at the control of the control	ation. A proper reply to a	
PERIOD FOR RE	PLY [check either a) or b)]		
<ul> <li>a)</li></ul>	Advisory Action, or (2) the date set forth ater than SIX MONTHS from the mailing FILED WITHIN TWO MONTHS OF TH	g date of the final rejection. IE FINAL REJECTION. See MPEP	
Extensions of time may be obtained under 37 CFR 1.136(a). The fee have been filed is the date for purposes of determining the period of fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of (2) as set forth in (b) above, if checked. Any reply received by the Office timely filed, may reduce any earned patent term adjustment. See 37 C	of extension and the corresponding amo the shortened statutory period for reply be later than three months after the mail	unt of the fee. The appropriate extension originally set in the final Office action; or	
1. A Notice of Appeal was filed on Appellant's 37 CFR 1.192(a), or any extension thereof (37 CFF			
2. $\square$ The proposed amendment(s) will not be entered be	ecause:		
(a)   they raise new issues that would require further	er consideration and/or search (s	see NOTE below);	
(b)  they raise the issue of new matter (see Note b	elow);		
(c)  they are not deemed to place the application ir issues for appeal; and/or	n better form for appeal by mate	rially reducing or simplifying the	
(d) they present additional claims without cancelli	ng a corresponding number of fi	nally rejected claims.	
NOTE:			
3. Applicant's reply has overcome the following reject	ion(s):		
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	be allowable if submitted in a se	eparate, timely filed amendment	
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for application in condition for allowance because: See		dered but does NOT place the	
6. The affidavit or exhibit will NOT be considered becaraised by the Examiner in the final rejection.	ause it is not directed SOLELY t	o issues which were newly	
7. For purposes of Appeal, the proposed amendment explanation of how the new or amended claims we	· · · —		
The status of the claim(s) is (or will be) as follows:			
Claim(s) allowed: none.			
Claim(s) objected to: none.			
Claim(s) rejected: <u>1-20</u> .			
Claim(s) withdrawn from consideration: <u>none</u> .			
8. The drawing correction filed on is a) appr	roved or b) disapproved by t	he Examiner.	
9. Note the attached Information Disclosure Statemer	,		
10. Other:	· · · · · · · · · · · · · · · · · · ·	<del></del>	•
<u> </u>			
Ronald Janeau			

Mindaphorro 1/21/05.

Continuation of 5. does NOT place the application in condition for allowance because: applicant's arguments are deemed unpersuasive, the examiner maintains that the Final action was proper..